

REMARKS

The present application has been reviewed in light of the Office Action dated October 27, 2008. Claims 1-17 are presented for examination, of which Claims 1 and 12 are in independent form. Claim 18 stands as withdrawn from examination. Claims 1-12 have been amended to define Applicants' invention more clearly. Favorable reconsideration is requested.

The Office Action states that Claims 1-17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,385,591 (*Angles et al.*), in view of U.S. Patent Appln. Pub. No. 2003/0144913 (*Greenberg et al.*), further in view of U.S. Patent No. 5,960,411 (*Hartman et al.*), and further in view of U.S. Patent Appln. No. 2002/0128977 (*Nambiar et al.*). Applicants submit that independent Claims 1 and 12, together with the claims dependent therefrom, are patentably distinct from the cited prior art for at least the following reasons.

Notable features of amended Claim 1 include “receiving [and] storing . . . restriction information in a database in association with [a] consumer,” “retrieving . . . the restriction information from the database based on the received consumer identification information,” and “determining that the consumer is authorized to accept offers based on the restriction information.” By virtue of these features, restrictions may be placed on users such that different users have different levels of access to an interface device. For example, a parent may restrict their child's access to the system such that they may view offers but not accept them without parental assistance.¹

Angles et al., as best understood by Applicants, relates to a method for delivering customized electronic advertisements in an interactive communication system. An advertisement provider's computer stores demographic information about consumers, and sends

¹ The example(s) provided herein are intended to be illustrative and are not to be construed to limit the scope of the claims.

customized advertisements to the consumers based on the consumers' demographic profile and tracks consumer responses to the customized advertisements. *Angles et al.* is not understood to disclose or suggest "receiving [and] storing . . . restriction information in a database in association with [a] consumer." (Emphasis added.) Indeed, in contrast to storing restriction information, *Angles et al.* discloses storing demographic information. Moreover, because *Angles et al.* is not understood to disclose or suggest receiving or storing restriction information, Applicants submit that it cannot reasonably be said to disclose "retrieving . . . the restriction information from the database based on the received consumer identification information," or "determining that the consumer is authorized to accept offers based on the restriction information," as recited in Claim 1.

Accordingly, Applicants submit that Claim 1 is patentable over *Angles et al.*

Greenberg et al. is cited in the Office Action as disclosing, among other features, "receiving, by the interface device, an acceptance of the amended offer from the consumer, wherein the acceptance is associated with the amended offer and the acceptance includes smart card information." Applicants submit, however, that *Greenberg et al.* fails to remedy the deficiencies of *Angles et al.* That is, *Greenberg et al.* is not understood to disclose "receiving [and] storing . . . restriction information in a database in association with [a] consumer," "retrieving . . . the restriction information from the database based on the received consumer identification information," or "determining that the consumer is authorized to accept offers based on the restriction information," as recited in Claim 1. Indeed, apparently in *Greenberg et al.*, all users that receive offers are able to accept the offers, *i.e.*, they are not restricted.

Accordingly, Applicants submit that Claim 1 is patentable over *Greenberg et al.*

A review of the other art of record has failed to reveal anything which, in Applicants' view, would remedy the deficiencies of the *Angles et al.* or *Greenberg et al.* as applied against the independent claims herein.

Applicants submit that any combination of *Angles et al.*, *Greenberg et al.*, *Hartman et al.*, and *Nambiar et al.*, assuming such a combination would even be permissible, would fail to teach or suggest the "receiving," "storing," "retrieving," and "determining" features discussed above in connection with Claim 1. Accordingly, Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 103(a).

Independent Claim 12 includes features similar to those discussed above. Therefore, Claim 12 also is believed to be patentable for at least the same reasons as discussed above. Additionally, the other rejected claims in this application depend from one or another of the independent claims discussed above and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

No petition to extend the time for response to the Office Action is deemed necessary for this Amendment. If, however, such a petition is required to make this Amendment timely filed, then this paper should be considered such a petition and the Commissioner is authorized to charge the requisite petition fee to Deposit Account 50-3939.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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FCBS_WS 2629388_1